

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

AARON D. WEGNER (CABN 243809)
Assistant United States Attorney

450 Golden Gate Ave., Box 36055
San Francisco, California 94102
Telephone: (415) 436-7200
Fax: (415) 436-7234
E-Mail: aaron.wegner@usdoj.gov

Attorneys for the United States

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 12-00076-EMC
)	
Plaintiff,)	[PROPOSED] ORDER AND
)	STIPULATION EXCLUDING TIME
v.)	FROM MAY 9, 2012, TO JULY 11, 2012,
)	FROM THE SPEEDY TRIAL ACT
DELFINO RIVERA-MORA,)	CALCULATION (18 U.S.C.
)	§ 3161(h)(7)(A))
Defendant.)	

On May 9, 2012, the parties appeared before the Court for a status conference. At the status conference, the Court was informed that defense counsel is currently hospitalized and an attorney who was specially appearing for the defendant requested additional time to review discovery in the case. The Court set the matter for a status conference on July 11, 2012.

With the agreement of the parties, and with the consent of the defendant, the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from May 9, 2012, through July 11, 2012.

The parties agree, and the Court finds and holds, as follows:

1. The defendant agrees to an exclusion of time under the Speedy Trial Act from May 9, 2012, through July 11, 2012, based upon the need for effective preparation of counsel and

1 to provide the defendant an opportunity to continue discovery review. The defendant agrees to
2 this exclusion on the condition that his right to bring motions claiming Speedy Trial Act
3 violations prior to May 9, 2012, shall remain preserved.

4 2. Counsel for the defense believes that the exclusion of time is in his client's best
5 interest.

6 3. Given these circumstances, the Court finds that the ends of justice served by excluding
7 the period from May 9, 2012, through July 11, 2012, outweigh the best interest of the public and
8 the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

9 4. Accordingly, and with the consent of the defendant, the Court orders that the period
10 from May 9, 2012, through July 11, 2012, shall be excluded from Speedy Trial Act calculations
11 under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

12
13 IT IS SO STIPULATED:

14
15 DATED: May 10, 2012

/s
ARTURO HERNANDEZ
Attorney for Defendant

16
17
18 DATED: May 10, 2012

/s
AARON D. WEGNER
Assistant United States Attorney

19
20
21 IT IS SO ORDERED.

22 May 15, 2012
23 DATED: _____

